

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
Administrative Appeals Office (AAO)
20 Massachusetts Ave., N.W., MS 2090
Washington, DC 20529-2090
PUBLIC COPY

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**U.S. Citizenship
and Immigration
Services**

B5

Date: **JUN 21 2012**: TEXAS SERVICE CENTER

FILE: [REDACTED]

IN RE: Petitioner: [REDACTED]
Beneficiary: [REDACTED]

PETITION: Immigrant Petition for Alien Worker as a Member of the Professions Holding an Advanced Degree or an Alien of Exceptional Ability Pursuant to Section 203(b)(2) of the Immigration and Nationality Act, 8 U.S.C. § 1153(b)(2)

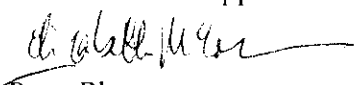
ON BEHALF OF PETITIONER:

INSTRUCTIONS:

Enclosed please find the decision of the Administrative Appeals Office in your case. All of the documents related to this matter have been returned to the office that originally decided your case. Please be advised that any further inquiry that you might have concerning your case must be made to that office.

DISCUSSION: The visa petition was revoked by the Director, Texas Service Center. The matter is now before the AAO on appeal. On June 8, 2012, the petitioner requested that the petition be withdrawn. Title 8 C.F.R. § 103.2(b)(6), however, indicates that an application or petition may not be withdrawn once a decision is issued by U.S. Citizenship and Immigration Services. Notwithstanding this provision, even if the grounds of ineligibility in this matter were to be overcome on appeal, this request to withdraw the petition now renders it subject to automatic revocation without prior notice. *See* 8 C.F.R. § 205.1(a)(3)(iii)(C). Therefore, as the request to withdraw the original petition was received before the issuance of the AAO's decision in this matter, the issues in this proceeding are now moot, and the appeal will be dismissed on this basis.

ORDER: The appeal is dismissed as moot.


Perry Rhew
Chief, Administrative Appeals Office